

January 2, 2018

Pro Se Intake Unit

c/o Honorable Sarah Netburn,

United States Magistrate Judge

United States District Court Southern District of New York

500 Pearl Street, Room 200

New York, NY 10007

Re: Robert Romano v. Santander Holdings USA, Inc. and Santander Bank, N.A.

Case No. 15-CV-7387 (CM) (SN)

Dear Judge Netburn:

Plaintiff writes to request clarification regarding Your Honor's most recent Orders to properly proceed and specifically regarding the imposed stay with all proceedings until February 6, 2018 for the parties to try and negotiate the terms and possibly finalize a settlement agreement or proceed with remaining discovery. To Plaintiff's knowledge, nothing was changed after Plaintiff addressed the Court to articulate his position (after Defense Counsel intentionally bypassed him) and your Honor amended the Order accordingly the same day.

Pro Se Plaintiff, Robert Romano, respectfully requests that the Court strike the Defendant's pleadings and motions and consider reversing the instant decision to approve defendant's accompanying letter motion to seal documents. Plaintiff was completely prevented from being heard in the matter prior to the decision approving of such. Defendant's disregarded Your Honor's latest amended order detailing specific direction

with corresponding dates in response to defendant's unilateral motion to dismiss the matter without first consulting with Pro Se Plaintiff which prompted Plaintiff to address it with the Court and the once again deviated from protocol.


In addition, the basis for Defendant's instant motions and memorandum of law are predominately predicated on hearsay, not Plaintiff nor Plaintiff's actual legal representatives' statements or actions, which is irrelevant, improper and inadmissible in this action before the Court or any Court of law and certainly not a legal basis to even entertain such. After consult, it is plaintiff's understanding that the motions in question should be reversed and denied as a matter of law and writes to the Court to request any and all clarification and relief most appropriate in the circumstance and prior to the submission in opposition to defendant's latest and lengthy inappropriate motions.

On December 8, 2017, the defendants informed the Court that the parties had reached a settlement in principle and requested that the proceedings be stayed. The Court understood that both sides had agreed to the stay and granted the request. Shortly thereafter, the Court received a letter from the plaintiff indicating that he did not agree to the stay. Thus, the Court clarified that the case had not been dismissed and that the case would move forward if the parties were unable to finalize a settlement agreement by February 6, 2018.

On December 27, 2017, the defendants submitted a request for permission to file under seal a motion to enforce the settlement agreement. The Court granted the defendants leave to file their motion under seal on an interim basis but indicated that it would revisit the decision when reviewing the motion to enforce the settlement agreement. The Court also indicated that the plaintiff could respond to the motion to enforce the settlement agreement by January 5, 2018.

The plaintiff's motion to strike the defendants' motions is DENIED. The plaintiff is granted additional time to respond to the merits of the defendants' motion to enforce the settlement agreement. The plaintiff shall respond to the motion by January 12, 2018. The plaintiff must send his response to the Pro Se Intake Unit.
SO ORDERED.

DATED: January 8, 2018
New York, New York


SARAH NETBURN
United States Magistrate Judge

cc: Robert Romano (*by Chambers*)
1 Jefferson Avenue, Apt G11
Rockville Centre, NY 11570